

**REMARKS**

Please reconsider the application in view of the following remarks. The Applicant thanks the Examiner for carefully considering this application.

**Expert Declaration**

Please find submitted herewith an Expert Declaration of Mike Azar ("Azar Declaration"), which is submitted pursuant to 37 C.F.R. § 1.132. The Azar Declaration is submitted as evidentiary support of the arguments submitted August 5, 2010, in response to the final Office Action, dated April 5, 2010.

Specifically, the Azar Declaration details that SPE article "Drag-Bit Performance Modeling" ("Warren") and U.S. Patent No. 6,695,073 ("Glass"), when referring to drill bit simulation program, are referring to the Amoco Program. The Azar Declaration further indicates that Warren, Glass, and the Amoco Program do not disclose time, much less a pre-selected time, as a variable in simulated drilling. Furthermore, the Azar Declaration provides evidence that Warren, Glass, and the Amoco program merely use static simulation, not dynamic simulation, as the present invention claims.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed

Application No.: 10/809,276

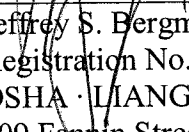
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below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 05516/148002).

Dated: August 6, 2010

Respectfully submitted,

By



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Attachments